

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

**STATE OF KANSAS, STATE OF NORTH
DAKOTA, *et al.*,**

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. 1:24-cv-00150-DMT-CRH

EXHIBIT 1

DECLARATION OF TRACY KORSMO

Pursuant to 28 U.S.C. § 1746, I, Tracy Korsmo, states as follows:

1. I am over 18 years of age, have personal knowledge of the matters set forth herein, and am competent to make this declaration.

2. I serve as the SLDS Program Manager of the North Dakota Information Technology Department (NDIT). As part of my professional duties, I am familiar with the databases utilized by the State to maintain information and data related to public school enrollment in North Dakota.

3. At the request of the North Dakota Attorney General's Office, I have prepared this declaration addressing whether the State has information to verify if 126 individuals identified by the Attorney General's Office by name and address are currently enrolled in the North Dakota public education system or if those individuals have dependents that are currently enrolled in the North Dakota public education system.

4. The State's information regarding public school enrollment is maintained in a series of databases referred to as the Statewide Longitudinal Data System, or "SLDS." NDIT is the State entity most capable of conducting State-wide searches of the records maintained in SLDS, and I manage the State's SLDS program. However, the data and records in SLDS are generally input and owned by individual school districts, and the State's ability to access and report data from SLDS is subject to, and restricted by, multiple agreements with various school districts relating to data ownership, access, and use.

5. Due to certain restrictions on accessing and using data in SLDS, NDIT is not able to provide specific numbers reporting, even in aggregate form, how many of the 126 individuals

identified by the Attorney General's Office are currently enrolled in the North Dakota public education system or if those individuals have dependents that are currently enrolled in the North Dakota public education system.

6. However, NDIT is able to conduct a search of SLDS to establish whether or not the records maintained in SLDS reflect that at least one of the 126 individuals are either currently enrolled in the North Dakota public education system or have dependents that are currently enrolled in the North Dakota public education system.

7. Subject to the limitations described above, NDIT staff working at my direction conducted a search of SLDS utilizing the names and addresses of the 126 individuals requested by the Attorney General's Office, and were able to confirm that at least one of those individuals is reflected as either currently enrolled in the North Dakota public education system or has one or more dependents that are currently enrolled in the North Dakota public education system.

8. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed in Bismarck, North Dakota, on November 12, 2024.

Tracy Korsmo

Tracy Korsmo
SLDS Program Manager
N.D. Information Technology Dept.